

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

ELEVENTH DAY'S PROCEEDINGS

**Thirty-sixth Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, February 22, 2008

The House of Representatives was called to order at 10:35 A.M., by the Honorable Jim Tucker, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Geymann	Mills
Abramson	Gislair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morrell
Arnold	Guillory, M.	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Billiot	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Hoffmann	Richard
Burns, T.	Honey	Richardson
Burrell	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaBruzzo	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White

Fannin
Foil
Franklin
Gallot
Total - 104

Lopinto
Lorusso
Marchand
McVea

Williams
Willmott
Wooton

ABSENT

Total - 0

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rep. Peterson.

Pledge of Allegiance

Rep. Templet led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Honey, the reading of the Journal was dispensed with.

On motion of Rep. Honey, the Journal of February 21, 2008, was adopted.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Secretary of State

The following message from the Secretary of State was received and read:

**Secretary of State
State of Louisiana**

February 15, 2008

To the Clerk of the House of Representatives
State of Louisiana

Ladies and Gentlemen:

I have the honor to submit to you the name of Thomas Carmody who has been duly elected to fill the vacancy occurring in your Honorable Body caused by the resignation of Mike Powell.

Thomas Carmody has been officially proclaimed duly and legally elected as State Representative from the 6th Representative District of the State of Louisiana.

With best wishes,

JAY DARDENNE
Secretary of State

**United States of America
STATE OF LOUISIANA
Jay Dardenne
Secretary of State**

As Secretary of State of the State of Louisiana, I do hereby certify that the following candidate, was declared elected by the people to the office set beside his name.

State Representative Thomas Carmody, Representative of District 6.

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In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the city of Baton Rouge on February 15, 2008.

JAY DARDENNE
Secretary of State

Oath of Office

The oath of office was administered to Thomas Carmody by Mr. F. Michael Carmody.

"I, Thomas Carmody, do solemnly swear that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a member of the House of Representatives according to the best of my ability and understanding, so help me God".

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

February 22, 2008

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 22
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATORS ALARIO, CASSIDY, CRAVINS, CROWE, B. GAUTREAUX, NEVERS AND SCALISE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

Read by title.

On motion of Rep. Billiot, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To designate the Smokin' Oldies Cook-Off in West Baton Rouge Parish as an official Louisiana State barbeque championship.

Read by title.

On motion of Rep. St. Germain, and under a suspension of the rules, the resolution was concurred in.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

Acting Speaker Kleckley in the Chair

HOUSE RESOLUTION NO. 1—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BALDONE, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRUZZO, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

A RESOLUTION

To adopt House Rules 2.5(21) and 12.8 of the Rules of Order of the House of Representatives, to provide for audio and video broadcast of legislative proceedings and for the creation, nature, and maintenance of records thereof.

Read by title.

Rep. Tucker moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	McVea
Abramson	Gisclair	Mills
Anders	Guillory, E.	Monica
Armes	Guillory, M.	Montoucet
Arnold	Guinn	Morrell
Aubert	Hardy	Morris
Badon, A.	Harrison	Norton
Badon, B.	Hazel	Pearson
Baldone	Henderson	Perry
Barras	Henry	Ponti
Barrow	Hill	Pope
Billiot	Hines	Pugh
Burford	Hoffmann	Richard
Burns, H.	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaBruzzo	Smith, P.
Doerge	LaFonta	St. Germain
Dove	Lambert	Talbot
Downs	LeBas	Templet
Edwards	Leger	Trahan
Ellington	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Gallot	Marchand	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Burns, T.	Dixon	Nowlin
Burrell	Greene	Peterson
Total - 6		

The resolution was adopted.

HOUSE RESOLUTION NO. 2—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BALDONE, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRUZZO, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

A RESOLUTION

To amend and readopt House Rule 11.6 of the Rules of Order of the House of Representatives, to provide for the submission of certain information required for appropriations to certain entities

and provides that certain actions are not in order if such information is not submitted.

Read by title.

Rep. Tucker moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Guillory, E.	Montoucet
Armes	Guillory, M.	Morrell
Arnold	Guinn	Morris
Aubert	Hardy	Norton
Badon, A.	Harrison	Pearson
Badon, B.	Hazel	Perry
Baldone	Henderson	Peterson
Barras	Henry	Ponti
Barrow	Hill	Pope
Billiot	Hines	Pugh
Burford	Hoffmann	Richard
Burns, H.	Honey	Richardson
Burrell	Howard	Richmond
Carmody	Hutter	Ritchie
Carter	Jackson G.	Robideaux
Cazayoux	Jackson M.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Simon
Chaney	Jones, S.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	Smith, P.
Danahay	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	
Total - 101		

NAYS

Total - 0

ABSENT

Burns, T.	Greene
Dixon	Nowlin
Total - 4	

The resolution was adopted.

HOUSE RESOLUTION NO. 3—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BALDONE, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRUZZO, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

A RESOLUTION

To amend and readopt House Rule 10.8 of the Rules of Order of the House of Representatives, to provide relative to consent for a member to have his vote corrected.

Read by title.

Rep. Tucker moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Marchand
Abramson	Geymann	McVea
Anders	Gisclair	Mills
Armes	Guillory, E.	Monica
Arnold	Guillory, M.	Montoucet
Aubert	Guinn	Morris
Badon, A.	Hardy	Norton
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Billiot	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Hoffmann	Richard
Burrell	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaBruzzo	St. Germain
Doerge	LaFonta	Talbot
Dove	Lambert	Templet
Downs	LeBas	Trahan
Edwards	Leger	Waddell
Ellington	Ligi	White
Fannin	Little	Willmott
Foil	Lopinto	Wooton
Franklin	Lorusso	
Total - 98		

NAYS

Connick	Morrell
Total - 2	

ABSENT

Burns, T.	Nowlin	Williams
Greene	Simon	
Total - 5		

The resolution was adopted.

HOUSE RESOLUTION NO. 4—

BY REPRESENTATIVES TUCKER AND MORRIS

A RESOLUTION

To adopt House Rule 7.2(F) of the Rules of Order of the House of Representatives, to require a request for legislation which is to be prefiled to be received by House Legislative Services staff not later than forty-eight hours prior to the prefiling deadline.

Read by title.

Rep. Tucker moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton

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Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Harrison	Peterson
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burrell	Hoffmann	Richmond
Carmody	Honey	Ritchie
Carter	Howard	Robideaux
Cazayoux	Jackson M.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Simon
Chaney	Jones, S.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	Marchand	Wooton
Franklin	McVea	
Total - 101		

NAYS

Hutter
Total - 1

ABSENT

Burns, T.	Jackson G.	Nowlin
Total - 3		

The resolution was adopted.

HOUSE RESOLUTION NO. 5—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRUZZO, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

A RESOLUTION

To amend and readopt House Rule 6.4(D) of the Rules of Order of the House of Representatives, to provide for the removal of an elected member of the Committee on Appropriations if such member is under indictment.

Read by title.

Rep. Peterson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peterson to Engrossed House Resolution No. 5 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 3, delete "the removal of an elected membership" and insert: "a vacancy in the membership" and at the end of line 4 delete "if such member is under indictment"

AMENDMENT NO. 2

On page 1, delete lines 19 through 21 and insert:

"(2) In addition, the issuance against an elected member of an indictment for a crime relating to the performance of his public duties or the holding of his public office shall create a vacancy in the membership of the committee."

On motion of Rep. Peterson, the amendments were withdrawn.

Motion

On motion of Rep. Tucker, the resolution was returned to the calendar.

Speaker Tucker in the Chair

HOUSE RESOLUTION NO. 11—

BY REPRESENTATIVES RICHMOND, BALDONE, AND LABRUZZO

A RESOLUTION

To amend and readopt House Rules 14.32(B) and 14.51 of the Rules of Order of the House of Representatives, to require a person testifying before a committee to submit a sworn written statement affirming the truth of his testimony.

Read by title.

Rep. Richmond moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morrell
Armes	Guillory, M.	Morris
Arnold	Guinn	Norton
Aubert	Hardy	Nowlin
Badon, A.	Harrison	Pearson
Badon, B.	Hazel	Perry
Baldone	Henderson	Peterson
Barras	Henry	Ponti
Barrow	Hill	Pope
Billiot	Hines	Pugh
Burford	Hoffmann	Richard
Burns, H.	Honey	Richardson
Burrell	Howard	Richmond
Carmody	Hutter	Ritchie
Carter	Jackson G.	Robideaux
Cazayoux	Jackson M.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Simon
Chaney	Jones, S.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	Smith, P.
Danahay	Lambert	St. Germain
Doerge	LeBas	Talbot
Dove	Leger	Templet
Downs	Ligi	Trahan
Edwards	Little	Waddell
Ellington	Lopinto	White
Fannin	Lorusso	Williams
Foil	Marchand	Willmott
Franklin	McVea	Wooton
Gallot	Mills	
Total - 101		

NAYS

Total - 0

ABSENT

Burns, T.	Guillory, E.
Dixon	LaFonta
Total - 4	

The resolution was adopted.

Senate Concurrent Resolutions on Third Reading for Final Consideration

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 2— BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To create a special committee to study heirship property and to develop recommendations for facilitating the ability of co-owners of heirship property to make their titles merchantable; to review the rights and obligations of co-owners of heirship property in order to prevent undue hardship resulting from partition sales; and to review the costs of probate and of intrafamily transfers of real estate to determine whether such costs might be reduced for co-owners and heirs of property with a small value.

Read by title.

On motion of Rep. Peterson, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 5— BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court to adopt the same financial disclosure standards for judges that are applicable to other elected officials in the Code of Governmental Ethics.

Read by title.

Motion

On motion of Rep. Peterson, the resolution was returned to the calendar.

Acting Speaker Baldone in the Chair

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 6—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HOWARD, HUTTER, ROSALIND JONES, KATZ, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LORUSSO, MILLS, MONICA, MONToucET, MORRELL, MORRIS, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, AND WILLMOTT AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MICHOT, MORRISH, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, THOMPSON, AND WALSWORTH

AN ACT

To amend and reenact R.S. 42:1170(A) and (E), relative to ethics education and training; to provide for the duties of the Board of Ethics relative to such education and training; to provide for the education and training required of public servants; to provide for the education and training required of registered lobbyists; to provide for penalties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 6 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 5, after "lobbyists;" insert " to provide for notice of noncompliance;"

AMENDMENT NO. 2

On page 3, line 11, after "E." insert "(1)"

AMENDMENT NO. 3

On page 3, after line 13, insert the following:

"(2) If the board discovers that a public servant has failed to complete the training required by this Section, the board shall mail by certified mail a notice of noncompliance informing the person that the training required by this Section shall be completed within thirty business days after receipt of the notice of noncompliance. The notice of noncompliance shall include the deadline for completion of the training required by this Section. If the person completes the training prior to the deadline contained in the notice of noncompliance, no penalties shall be assessed against the public servant."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 6 by Representative Tucker

AMENDMENT NO. 1

On page 3, line 11 after "E." insert "(1)"

AMENDMENT NO. 2

On page 3, after line 13 insert

"(3) The Board of Ethics shall submit the required education and training on the Code of Governmental Ethics for approval by the Louisiana Supreme Court, Mandatory Continuing Legal Education Committee as an approved continuing legal education activity."

Rep. Tucker moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	GISclair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morrell
Arnold	Guillory, M.	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson

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Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Cazayoux	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.
Danahay	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	

Total - 101

NAYS

Total - 0

ABSENT

Burns, T.	LaBruzzo
Dixon	Nowlin

Total - 4

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 29—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, FRANKLIN, GISCLAIR, MICKEY GUILLORY, HARDY, HARRISON, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MILLS, MONICA, MONToucET, MORRELL, NORTON, NOWLIN, PEARSON, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WHITE, WILLIAMS, AND WILLMOTT AND SENATORS GRAY, NEVERS, SCALISE, AND WALSWORTH

AN ACT

To amend and reenact R.S. 42:1132(B)(1)(a) and (4) and to enact R.S. 42:1132(B)(5), relative to the Board of Ethics; to provide for qualifications for selection and service on the Board of Ethics; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 29 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 17, change "five" to "eight"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 29 by Representative Tucker

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 18, 2008

AMENDMENT NO. 2

On page 1, line 16, change "five" to "eight"

Rep. Tucker moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Anders	GISCLAIR	Montoucet
Armes	Greene	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Cazayoux	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	Marchand	Wooton
Franklin	McVea	

Total - 101

NAYS

Total - 0

ABSENT

Burns, T.	LaBruzzo
Guinn	Nowlin

Total - 4

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 56—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BALDONE, BILLIOT, TIM BURNS, DOERGE, DOVE, HENRY, HINES, LABRUZZO, LIGI, NOWLIN, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

AN ACT

To amend and reenact R.S. 44:4.1(B)(31) and to enact R.S. 36:4(I) and Part VI of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:220.21 through

220.25, relative to the creation of the office of the state inspector general; to provide for the appointment, term of office, removal, powers, duties, and functions of the inspector general; to provide for the procedure for the appointment of the inspector general; to provide for staffing and funding of the office; to provide for the assistance and cooperation of entities in the executive branch of state government and other covered entities; to provide for the confidentiality of certain records; to provide for referral of the results of investigations of criminal matters to the appropriate authorities for prosecution; to provide for reports by the inspector general; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 56 by Representative Tucker

AMENDMENT NO. 1

On page 3, line 10, after "Senate," insert "Such appointee may be removed by the governor during his term only for cause."

AMENDMENT NO. 2

On page 3, line 26, after "general" delete the remainder of the line and insert "may be removed for any reason upon"

AMENDMENT NO. 3

On page 5, line 16, change "When appropriate, the" to "The"

AMENDMENT NO. 4

On page 5, line 17, change "agency. This shall" to "unless"

AMENDMENT NO. 5

On page 5, line 18, delete "not apply when"

AMENDMENT NO. 6

On page 5, delete line 25 and 26, and insert "of his staff designated by him may seek and obtain sworn testimony from any person using the same procedure as is provided for taking depositions provided for in Article 1443 in the Code of Civil Procedure."

AMENDMENT NO. 7

On page 7, delete lines 13 and 14

AMENDMENT NO. 8

On page 7, line 15, change "L." to "K."

AMENDMENT NO. 9

On page 7, line 17, change "M." to "L."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 56 by Representative Tucker

AMENDMENT NO. 1

On page 3, delete lines 2 and 3 in their entirety

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Scalise to Reengrossed House Bill No. 56 by Representative Tucker

AMENDMENT NO. 1

On page 3, between lines 20 and 21, insert the following:

"(3) Not later than one year from the date of appointment, if not already certified, the inspector general shall obtain certification as a Certified Inspector General from the Association of Inspectors General."

Rep. Tucker moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morrell
Arnold	Guillory, M.	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hines	Richard
Burrell	Hoffmann	Richardson
Carmody	Honey	Richmond
Carter	Howard	Ritchie
Cazayoux	Hutter	Robideaux
Champagne	Jackson G.	Roy
Chandler	Jackson M.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	
Total - 101		

NAYS

Total - 0

ABSENT

Billiot	LaBruzzo
Burns, T.	Nowlin
Total - 4	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

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Speaker Tucker in the Chair

HOUSE BILL NO. 65—

BY REPRESENTATIVES GREENE AND BALDONE
AN ACT

To amend and reenact R.S. 18:463(A)(2) and 491(C) and to enact R.S. 18:492(A)(6), relative to qualifying for primary elections; to require a candidate to certify that he does not owe any ethics fines as a condition of qualification; to provide relative to objections to candidacy based on false certification regarding ethics fines; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 65 by Representative Greene

AMENDMENT NO. 1

On page 3, line 9, change "may" to "may shall"

AMENDMENT NO. 2

On page 3, line 10, after "bring" insert "or join in"

AMENDMENT NO. 3

On page 3, line 13, change "may" to "shall"

AMENDMENT NO. 4

On page 3, line 13, after "bring" insert "or join in"

Rep. Greene moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Mills
Abramson	Greene	Monica
Anders	Guillory, E.	Montoucet
Armes	Guillory, M.	Morrell
Arnold	Guinn	Morris
Aubert	Hardy	Norton
Badon, A.	Harrison	Pearson
Badon, B.	Hazel	Perry
Baldone	Henderson	Peterson
Barras	Henry	Ponti
Barrow	Hill	Pope
Billiot	Hines	Pugh
Burford	Hoffmann	Richard
Burns, H.	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.

Danahay
Doerge
Dove
Downs
Edwards
Ellington
Fannin
Foil
Franklin
Gallot
Geymann

Total - 100

LaBruzzo
LaFonta
Lambert
LeBas
Leger
Ligi
Little
Lopinto
Lorusso
Marchand
McVea

St. Germain
Talbot
Templet
Trahan
Waddell
White
Williams
Willmott
Wooton

NAYS

Total - 0

ABSENT

Burns, T.
Burrell
Total - 5

Dixon
Nowlin

Smith, G.

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 73—

BY REPRESENTATIVES WHITE AND BALDONE
AN ACT

To enact R.S. 18:1485(E), relative to certain campaign reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; to provide for penalties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 73 by Representative White

AMENDMENT NO. 1

On page 1, line 10, between "Chapter" and the comma "," insert "that receives contributions or loans in excess of fifty thousand dollars in a calendar year or which makes expenditures in excess of fifty thousand dollars in a calendar year"

Rep. White moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Greene	Monica
Abramson	Guillory, E.	Montoucet
Anders	Guillory, M.	Morrell
Armes	Guinn	Morris
Arnold	Hardy	Norton
Aubert	Harrison	Pearson
Badon, A.	Hazel	Perry
Badon, B.	Henderson	Peterson
Barras	Henry	Ponti
Barrow	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Hoffmann	Richard

Burrell	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaBruzzo	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	
Gisclair	Mills	

Total - 100

NAYS

Total - 0

ABSENT

Baldone	Burns, T.	Nowlin
Billiot	Geymann	

Total - 5

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 78—

BY REPRESENTATIVES LEGER AND BALDONE
AN ACT

To amend and reenact R.S. 18:1485(C), relative to certain campaign finance reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 78 by Representative Leger

AMENDMENT NO. 1

On page 2, delete lines 8 and 9 and insert the following:

"Section 3. The provisions of this Section shall be effective January 1, 2010. The provisions of Section 1 of this Act shall be effective January 1, 2010, and shall remain effective through December 31, 2011. The provisions of Section 2 of this Act shall become effective January 1, 2012."

Rep. Leger moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Marchand
Abramson	Gisclair	McVea
Anders	Greene	Mills
Armes	Guillory, E.	Monica
Arnold	Guillory, M.	Montoucet
Aubert	Guinn	Morrell
Badon, A.	Hardy	Morris
Badon, B.	Harrison	Norton
Baldone	Hazel	Pearson
Barras	Henderson	Perry
Barrow	Henry	Ponti
Billiot	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Hoffmann	Richard
Burrell	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chaney	Johnson	Schroder
Connick	Jones, R.	Simon
Cromer	Jones, S.	Smiley
Danahay	Katz	Smith, G.
Dixon	Kleckley	Smith, J.
Doerge	LaBruzzo	Smith, P.
Dove	LaFonta	Talbot
Downs	Lambert	Templet
Edwards	LeBas	Trahan
Ellington	Leger	White
Fannin	Ligi	Williams
Foil	Little	Willmott
Franklin	Lopinto	Wooton
Gallot	Lorusso	

Total - 98

NAYS

Total - 0

ABSENT

Burns, T.	Nowlin	Waddell
Chandler	Peterson	
Cortez	St. Germain	

Total - 7

The amendments proposed by the Senate were concurred in by the House.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 56: Reps. Tucker, Gallot, and Downs.

Recess

On motion of Rep. Trahan, the Speaker declared the House at recess until 1:30 P.M.

After Recess

Speaker Tucker called the House to order at 1:35 P.M.

ROLL CALL

The roll being called, the following members answered to their names:

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PRESENT

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morrell
Arnes	Greene	Morris
Arnold	Guillory, E.	Norton
Aubert	Guillory, M.	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Harrison	Peterson
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Burrell	Honey	Ritchie
Carmody	Howard	Robideaux
Carter	Hutter	Roy
Cazayoux	Jackson G.	Schroder
Champagne	Johnson	Simon
Chandler	Jones, R.	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	St. Germain
Danahay	Lambert	Talbot
Dixon	LeBas	Templet
Doerge	Leger	Trahan
Dove	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott
Fannin	Marchand	Wooton
Foil	McVea	
Franklin	Mills	
Total - 103		

ABSENT

Jackson M.	LaFonta
Total - 2	

The Speaker announced there were 103 members present and a quorum.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 14—

BY SENATORS MARIONNEAUX AND LAFLEUR
AN ACT

To amend and reenact R.S. 18:1463(C)(2) and (E) and 1505.3(D)(3) and to enact R.S. 18:1463(C)(4) and (F), relative to political advertisements; to require certain statements involving authorized and unauthorized communications paid by certain persons; to provide for certain requirements with respect to oral, visual, and written material constituting a paid political advertisement distributed on behalf of a candidate for political office; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Ellington, the bill was returned to the calendar.

SENATE BILL NO. 29—

BY SENATORS MARIONNEAUX, N. GAUTREAUX AND LAFLEUR

AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to enact R.S. 18:1483(14)(c) and 1501.2, relative to campaign finance; to define certain political organizations to be included as political committees for purposes of filing campaign finance reports; to provide for reporting by such political organizations of campaign contributions and expenditures; and to provide for related matters.

Read by title.

Rep. Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Montoucet
Abramson	Geymann	Morrell
Anders	Gisclair	Morris
Arnold	Greene	Nowlin
Aubert	Guillory, E.	Pearson
Badon, A.	Guillory, M.	Perry
Badon, B.	Hardy	Peterson
Baldone	Harrison	Ponti
Barras	Hazel	Pope
Billiot	Henry	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Carmody	Honey	Ritchie
Carter	Hutter	Robideaux
Cazayoux	Jackson G.	Schroder
Champagne	Jones, R.	Simon
Chandler	Jones, S.	Smiley
Chaney	Katz	Smith, G.
Connick	Kleckley	Smith, J.
Cortez	LaBruzzo	Smith, P.
Cromer	Lambert	St. Germain
Danahay	LeBas	Talbot
Doerge	Leger	Templet
Dove	Ligi	Trahan
Downs	Little	Waddell
Edwards	Lopinto	White
Ellington	Lorusso	Williams
Fannin	McVea	Willmott
Foil	Mills	Wooton
Franklin	Monica	
Total - 92		

NAYS

Total - 0

ABSENT

Arnes	Henderson	Marchand
Barrow	Howard	Norton
Burrell	Jackson M.	Roy
Dixon	Johnson	
Guinn	LaFonta	
Total - 13		

The Chair declared the above bill was finally passed.

Rep. Ellington moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 37—

BY SENATORS CHAISSON, AMEDEE, BROOME, CHEEK, DONAHUE, DUPLESSIS, JACKSON, KOSTELKA, MICHOT, SCALISE, SMITH AND WALSWORTH

AN ACT

To enact R.S. 39:6(C), relative to the duties of the commissioner of administration; to require the commissioner of administration to establish and maintain a website to post reports of state spending; to provide for the contents of the website; and to provide for related matters.

Read by title.

Rep. Fannin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Lorusso
Abramson	Geymann	Mills
Anders	Gisclair	Monica
Armes	Greene	Montoucet
Arnold	Guillory, E.	Morrell
Aubert	Guillory, M.	Morris
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Harrison	Peterson
Barras	Hazel	Ponti
Billiot	Henderson	Pope
Burford	Henry	Pugh
Burns, H.	Hill	Richard
Burns, T.	Hines	Richardson
Carmody	Hoffmann	Richmond
Carter	Honey	Ritchie
Cazayoux	Howard	Robideaux
Champagne	Hutter	Roy
Chandler	Jackson G.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Talbot
Doerge	LaBruzzo	Templet
Dove	Lambert	Trahan
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Fannin	Little	Willmott
Foil	Lopinto	Wooton

Total - 93

NAYS

McVea
Total - 1

ABSENT

Barrow	Jackson M.	Nowlin
Burrell	LaFonta	Smith, P.
Dixon	Marchand	St. Germain
Franklin	Norton	

Total - 11

The Chair declared the above bill was finally passed.

Rep. Fannin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 47—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 18:1501.1(A) and 1511.6(A) and to enact R.S. 18:1483(9.1), and 1505.6(D), relative to election campaign finance; to provide relative to reports by persons not candidates or committees; to provide relative to prohibited practices and limitations; to provide relative to criminal penalties for violations of election campaign finance law; to provide penalties for engaging in prohibited practices or for failure to submit certain information to candidates or committees; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Jane Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morrell
Arnold	Guillory, M.	Morris
Aubert	Guinn	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Peterson
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Billiot	Henry	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Carmody	Honey	Ritchie
Carter	Howard	Robideaux
Cazayoux	Hutter	Roy
Champagne	Jackson G.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	St. Germain
Danahay	Lambert	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	McVea	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Barrow	Gallot	Marchand
Burrell	Jackson M.	Norton
Dixon	Katz	Nowlin
Franklin	LaFonta	Smith, P.

Total - 12

The Chair declared the above bill was finally passed.

Rep. Jane Smith moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

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SENATE BILL NO. 53—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 14:120, relative to offenses affecting organized government; to provide relative to the crime of corrupt influencing; to provide for the increase of penalties for such crime; and to provide for related matters.

Read by title.

Rep. Peterson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	McVea
Abramson	Gisclair	Mills
Anders	Greene	Monica
Armes	Guillory, E.	Montoucet
Arnold	Guillory, M.	Morrell
Aubert	Guinn	Morris
Badon, A.	Hardy	Norton
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Burford	Hines	Pope
Burns, H.	Hoffmann	Pugh
Burns, T.	Honey	Richard
Carmody	Howard	Richardson
Carter	Hutter	Ritchie
Cazayoux	Johnson	Robideaux
Champagne	Jones, R.	Roy
Chandler	Jones, S.	Schroder
Chaney	Katz	Simon
Connick	Kleckley	Smiley
Cortez	LaBruzzo	Smith, G.
Cromer	LaFonta	Smith, J.
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Edwards	Leger	Trahan
Ellington	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Gallot	Marchand	
Total - 92		

NAYS

Total - 0

ABSENT

Billiot	Hill	Smith, P.
Burrell	Jackson G.	St. Germain
Danahay	Jackson M.	Wooton
Dixon	Nowlin	
Downs	Richmond	
Total - 13		

The Chair declared the above bill was finally passed.

Rep. Peterson moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 58—

BY SENATORS MARTINY, MURRAY AND N. GAUTREAUX

AN ACT

To enact R.S. 14:134.3, relative to official misconduct and corrupt practices; to provide for the crime of abuse of office; to provide for the prosecution of such crime; to provide penalties; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Wooton, the bill was returned to the calendar.

Acting Speaker Smiley in the Chair

Speaker Tucker in the Chair

SENATE BILL NO. 65—

BY SENATORS SCALISE AND WALSWORTH

AN ACT

To amend and reenact R.S. 18:1505.2(C), relative to campaign finance; to provide for the receipt of campaign contributions; and to provide for related matters.

Read by title.

Rep. St. Germain sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative St. Germain to Engrossed Senate Bill No. 65 by Senator Scalise

AMENDMENT NO. 1

On page 1, line 8, after "C." insert "(1)"

AMENDMENT NO. 2

On page 1, line 9, after "contributions" delete the remainder of the line and delete lines 10 through 17 and on page 2, delete lines 1 through 10 and insert the following:

"in excess of ~~one hundred twenty-five~~ dollars during any calendar year. Any contribution in excess of such ~~one hundred twenty-five~~ dollar aggregate amount, other than an in-kind contribution, shall be made by an instrument containing the name of the donor and the name of the payee.

(2) Upon receipt of a cash contribution of ~~one hundred twenty-five~~ dollars or less, the candidate or committee receiving the contribution shall provide to the contributor a receipt for the exact amount of the contribution; such receipt shall contain the name, address, and social security number of the contributor, shall be signed by the contributor, and the candidate or committee receiving the contribution shall retain a copy of the receipt. If the contributor refuses to furnish his name, address, or social security number or refuses to sign the receipt, the contribution shall be immediately returned to said contributor. If the contributor is unable to write, he shall affix his mark to the receipt, and the person receiving the contribution shall affix the name of the incapacitated person to the receipt, provided he does so in the presence of a witness who shall also sign his name as witness to the mark. The copy of the receipt retained by the candidate or committee provided for in this Subsection shall be available to the supervisory committee for inspection. The supervisory committee shall promulgate rules and regulations relative to the receipt required by this Subsection."

Rep. St. Germain moved the adoption of the amendments.

Rep. Austin Badon objected.

By a vote of 43 yeas and 49 nays, the amendments were rejected.

Rep. Henry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hines	Peterson
Arnold	Honey	Richmond
Burford	Katz	St. Germain
Burns, T.	LaBruzzo	Talbot
Dove	Little	Trahan
Gallot	Lorusso	White
Henry	Marchand	Williams
Hill	Pearson	
Total - 23		

NAYS

Abramson	Fannin	Mills
Anders	Foil	Monica
Armes	Franklin	Montoucet
Aubert	Geymann	Morrell
Badon, A.	Gisclair	Morris
Badon, B.	Guillory, E.	Norton
Baldone	Guinn	Perry
Barras	Hardy	Ponti
Barrow	Harrison	Pope
Billiot	Hazel	Pugh
Burns, H.	Henderson	Richard
Burrell	Hoffmann	Richardson
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Kleckley	Smith, J.
Cromer	LaFonta	Smith, P.
Danahay	Lambert	Templet
Dixon	LeBas	Waddell
Doerge	Leger	Willmott
Downs	Ligt	Wooton
Edwards	Lopinto	
Ellington	McVea	
Total - 76		

ABSENT

Cazayoux	Guillory, M.	Nowlin
Greene	Jackson G.	Smith, G.
Total - 6		

The Chair declared the above bill failed to pass.

Rep. Baldone moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 14—

BY SENATORS MARIONNEAUX AND LAFLEUR
AN ACT

To amend and reenact R.S. 18:1463(C)(2) and (E) and 1505.3(D)(3) and to enact R.S. 18:1463(C)(4) and (F), relative to political advertisements; to require certain statements involving

authorized and unauthorized communications paid by certain persons; to provide for certain requirements with respect to oral, visual, and written material constituting a paid political advertisement distributed on behalf of a candidate for political office; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Ellington, the bill was returned to the calendar.

SENATE BILL NO. 58—

BY SENATORS MARTINY, MURRAY AND N. GAUTREAUX
AN ACT

To enact R.S. 14:134.3, relative to official misconduct and corrupt practices; to provide for the crime of abuse of office; to provide for the prosecution of such crime; to provide penalties; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Mickey Guillory sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mickey Guillory to Reengrossed Senate Bill No. 58 by Senator Martiny

AMENDMENT NO. 1

In Amendment No. 6 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on February 20, 2008, on page 1, line 15, after "office" and before the period insert "nor shall it prohibit or limit the ability of an elected official from responding to a request by his constituency"

On motion of Rep. Mickey Guillory, the amendments were adopted.

Rep. Wooton moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mills
Abramson	Gallot	Monica
Anders	Geymann	Montoucet
Armes	Gisclair	Morris
Arnold	Greene	Norton
Aubert	Guinn	Pearson
Badon, A.	Harrison	Perry
Badon, B.	Hazel	Peterson
Baldone	Henderson	Ponti
Barras	Henry	Pope
Barrow	Hill	Pugh
Billiot	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
Burns, T.	Howard	Ritchie
Burrell	Hutter	Robideaux
Carmody	Jackson G.	Roy
Carter	Jackson M.	Schroder

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Cazayoux	Johnson	Simon
Champagne	Jones, R.	Smiley
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Connick	Kleckley	Smith, P.
Cortez	LaBruzzo	St. Germain
Cromer	LaFonta	Talbot
Danahay	Lambert	Temple
Doerge	Leger	Trahan
Dove	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott
Fannin	Marchand	Wooton
Foil	McVea	

Total - 98

NAYS

Dixon	Hardy
-------	-------

Total - 2

ABSENT

Guillory, E.	LeBas	Nowlin
Guillory, M.	Morrell	

Total - 5

The Chair declared the above bill was finally passed.

Rep. Wooton moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 14—

BY SENATORS MARIONNEAUX AND LAFLEUR
AN ACT

To amend and reenact R.S. 18:1463(C)(2) and (E) and 1505.3(D)(3) and to enact R.S. 18:1463(C)(4) and (F), relative to political advertisements; to require certain statements involving authorized and unauthorized communications paid by certain persons; to provide for certain requirements with respect to oral, visual, and written material constituting a paid political advertisement distributed on behalf of a candidate for political office; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Morrell sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Reengrossed Senate Bill No. 14 by Senator Marionneaux

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House on February 21, 2008, on page 1, line 4, after "1505.2(I)(4)" delete the comma "," and insert "and Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1601 through 1603,"

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House on February 21, 2008, on page 1, at the end of line 7, insert "to provide relative to certain expenditures for certain political activities; to provide for certain required reports; to provide penalties;"

AMENDMENT NO. 3

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs, and adopted by the House on February 21, 2008, on page 1, at the end of line 13 insert "and Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1601 through 1603,"

AMENDMENT NO. 4

On page 4, between lines 2 and 3, insert the following:

"PART VIII. TELEPHONE AND RADIO COMMUNICATIONS AND POLITICAL POLLING EXPENDITURES; LIMITATIONS AND REPORTS

§1601. Special reports; disclosures for certain telephone communications

A. In addition to all other reports required by this Chapter, not later than twenty-four hours after any person, political committee, or other entity or organization makes an expenditure or payment for the purpose of conducting a political poll or similar communication via the telephone involving questions or statements about a candidate or proposition, such person, political committee, or other entity or organization shall electronically file a report with the supervisory committee, on such form as the supervisory committee shall provide, which shall include:

(1) The total amount of such payments or expenditures for such telephone political poll or communication.

(2) The name and address of each person to whom a payment or expenditure was made for such telephone political poll or communication.

(3) The amount paid to each person listed pursuant to Paragraph (2) of this Section.

B. The provisions of Subsection A of this Section shall apply to expenditure or payments made after the opening of qualifying for an election, except if the expenditure or payment is made relative to a proposition election, such provisions shall apply after the thirtieth day prior to such election. Prior to such time, any person, political committee, or other entity or organization that makes an expenditure or payment for the purpose of conducting a political poll or similar communication via the telephone involving questions or statements about a candidate or proposition shall include such information on the next report such person, political committee, or other entity or organization is required to file with the supervisory committee in addition to the information required to be included in such report.

§1602. Radio communications

No persons or organizations using radio advertisement which is paid for and authorized by a candidate or political committee of a candidate or an agent of the candidate or political committee shall use acronyms.

§1603. Penalties

Whoever violates the provisions of this Part shall be assessed a civil fine of not more than two thousand five hundred dollars. On a second violation, or any succeeding violation, the penalty shall be a civil fine of not more than five thousand dollars."

On motion of Rep. Morrell, the amendments were adopted.

Rep. Ellington moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Anders	Gisclair	Montoucet
Arnes	Greene	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Peterson
Barrow	Henderson	Ponti
Billiot	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hoffmann	Richard
Burns, T.	Honey	Richardson
Burrell	Howard	Richmond
Carmody	Hutter	Ritchie
Carter	Jackson G.	Robideaux
Cazayoux	Jackson M.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Simon
Chaney	Jones, S.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Talbot
Doerge	LeBas	Templett
Dove	Leger	Trahan
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Fannin	Lorusso	Wooton
Foil	Marchand	
Franklin	McVea	
Total - 103		

NAYS

Hines
Total - 1

ABSENT

Waddell
Total - 1

The Chair declared the above bill was finally passed.

Rep. Ellington moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 20—

BY REPRESENTATIVES RICHMOND, HONEY, PETERSON, GARY SMITH, ABRAMSON, ANDERS, ARNES, ARNOLD, AUBERT, AUSTIN, BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN,

GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONToucET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A RESOLUTION

To adopt House Rule 1.4 of the Rules of Order of the House of Representatives, to restrict admittance to the House members' private dining facility.

Read by title.

On motion of Rep. Richmond, and under a suspension of the rules, the resolution was adopted.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar**Acting Speaker Arnold in the Chair****SENATE BILL NO. 1—**

BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 42:1113(A) and (D)(1) and 1114.3 and to enact R.S. 42:1113(D)(2)(g) and (h), (3), and (4), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide restrictions on certain contracts; to provide for disclosure relative to certain contracts; to provide exceptions and waivers; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Gallot sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, line 22, change "Item (a)(ii)" to "Item (1)(a)(ii)"

AMENDMENT NO. 2

In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, line 23, change "Paragraph" to "Subsection"

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AMENDMENT NO. 3

In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 6, line , after "retirement" change "and" to "or"

AMENDMENT NO. 4

In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 7, line 45, change "Paragraph 1" to "Paragraph (1)"

AMENDMENT NO. 5

Delete the House Floor Amendments proposed by the Legislative Bureau and adopted by the House on February 21, 2008.

On motion of Rep. Gallot, the amendments were adopted.

Rep. Abramson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 2, proposed by Representative Gallot, and adopted by the House of Representatives on February 21, 2008, on page 1, line 6, after "1114.3" and before the comma "," insert "and to enact R.S. 42:1114.4"

AMENDMENT NO. 2

On page1, line 6, after the semicolon ";," and before "to" insert "to require certain disclosures by certain elected officials; to provide for the content of such disclosures; to provide for enforcement and penalties; "

AMENDMENT NO. 3

In House Floor Amendment No. 3, proposed by Representative Gallot, and adopted by the House of Representatives on February 21, 2008, on page 1, line 9, after "reenacted" and before "to" insert "and R.S. 42:1114.4 is hereby enacted"

AMENDMENT NO. 4

In House Floor Amendment No. 4, proposed by Representative Gallot, and adopted by the House of Representatives on February 21, 2008, on page 9, between lines 4 and 5, insert the following:

"1114.4. Disclosure statements; certain elected officials

A. Each statewide elected official, member of the legislature, elected member of the State Board of Elementary and Secondary Education, and official elected from a voting district having a population of more than five thousand persons shall disclose the information required by Subsection B of this Section as provided in that Subsection.

B.(1) The following information shall be disclosed:

(a) The name, address, job title, salary, and date of employment of any person who is directly hired by the elected official for employment in the agency of the elected official and who made a contribution or loan in excess of one thousand dollars to a campaign of the elected official or contribution as defined in R.S. 42:1125 and the amount of such contribution or loan.

(b) The name, address, position held, date of appointment, and amount of any compensation provided for such position of any person who is appointed to a board or commission by the elected official and who made a contribution or loan in excess of one thousand dollars to a campaign of such elected official or contribution as defined in R.S. 42:1125 and the amount of such contribution or loan.

(2) The information required to be disclosed by this Section shall be filed each year as part of the elected official's annual financial disclosure statement required by this Part and shall include only those persons who contributed to a campaign and who were hired or appointed within one year of the contribution. This information shall be included in the report which covers the time period in which the employment or appointment occurred. This Section shall be subject to the provisions for enforcement and penalties applicable to such financial disclosure statement.

On motion of Rep. Abramson, the amendments were adopted.

Rep. Fannin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 3, at the end of line 25, delete the period "." and insert:

"or is competitively negotiated through a request for proposal process or any similar competitive selection process in accordance with Chapter 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950; however, this exception for competitively negotiated contracts shall not include contracts for consulting services."

AMENDMENT NO. 2

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, line 26, after "1950" delete the comma "," and insert:

"or which contract, other than a contract for consulting services, was not competitively negotiated through a request for proposal process or any similar competitive selection process in accordance with Chapter 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950."

On motion of Rep. Fannin, the amendments were adopted.

Rep. Robideaux sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Robideaux and Willmott to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, line 4, after "physician" and before "with" insert a comma "," and insert "or other licensed health care professional"

AMENDMENT NO. 2

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, at the end of line 5, delete the period "." and insert a comma "," and insert "or the Department of Health and Hospitals."

AMENDMENT NO. 3

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 6, line 28, after "physician" and before "with" insert a comma "," and insert "or other licensed health care professional"

AMENDMENT NO. 4

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 6, at the end of line 29, delete the period "." and insert a comma "," and insert "or the Department of Health and Hospitals."

On motion of Rep. Robideaux, the amendments were adopted.

Rep. Ponti sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ponti to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert the following:

"(m) Contracts for employment or for services by any licensed health care professional providing services in the classroom or working with administration in an elementary or secondary school or other educational institution.

"(n) Contracts for services by health care professionals which are required by federal or state law to provide an educational program for students in an elementary or secondary school or other educational institution."

On motion of Rep. Ponti, the amendments were adopted.

Rep. Richmond sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 2, at the end of line 24, delete the period "." and insert "and any warden or assistant warden of a state penal institution."

AMENDMENT NO. 2

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert:

"(m) Contracts for which the compensation is solely reimbursement of costs."

On motion of Rep. Richmond, the amendments were adopted.

Rep. Peterson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peterson to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 1, at the end of line 6, delete the comma "," and insert "and to enact R.S. 42:1113(E)."

AMENDMENT NO. 2

In House Floor Amendment No. 2 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 1, line 9, after "reenacted" and before "to" insert "and R.S. 42:1113(E) is hereby enacted"

AMENDMENT NO. 3

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 5, between lines 12 and 13, insert:

"E. If any provision of this Section conflicts with any other provision of this Part, the more restrictive provision shall govern."

* * *

On motion of Rep. Peterson, the amendments were adopted.

Rep. Peterson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peterson to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4, proposed by Rep. Gallot and adopted by the House on February 21, 2008, on page 4, line 36, after "providing for" insert: "housing,"

On motion of Rep. Peterson, the amendments were adopted.

Rep. Peterson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peterson to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 2, at the end of line 39, delete the period "." and insert "and any person employed in his office, excluding clerical employees."

AMENDMENT NO. 2

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 3, at the end of line 2, delete the period "." and insert "and any person employed in his office, excluding clerical employees."

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AMENDMENT NO. 3

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 3, between lines 2 and 3, insert the following:

"(ww) The legislative director for the governor and any person employed in his office, excluding clerical employees."

On motion of Rep. Peterson, the amendments were adopted.

Rep. Lopinto sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert the following:

"(m) Applying for, payment of fees for, or obtaining a license, credential, or permit provided that such license, credential, or permit is available to similarly situated persons."

AMENDMENT NO. 2

In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 6, between lines 31 and 32, insert the following:

"(vii) Applying for, payment of fees for, or obtaining a license, credential, or permit provided that such license, credential, or permit is available to similarly situated persons."

On motion of Rep. Lopinto, the amendments were adopted.

Rep. Lopinto sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, line 20, change "January 8, 2012" to "January 9, 2012"

AMENDMENT NO. 2

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, line 28, change "January 8, 2012" to "January 9, 2012"

AMENDMENT NO. 3

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, at the end of line 48, insert "The provisions of this Paragraph shall not prohibit the renewal of a contract that was not prohibited prior to the effective date of this Paragraph."

On motion of Rep. Lopinto, the amendments were adopted.

Rep. Ellington sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ellington to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 3, between lines 35 and 36, insert the following:

"(iii) For purposes of this Section, any action taken to comply with a state law, rule, or regulation shall not be considered a contract."

On motion of Rep. Ellington, the amendments were adopted.

Rep. Hutter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hutter to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot, on page 3, delete line 43 and 44 and insert:

"(c) Contracts for employment in a professional educational capacity in or for professional services for an elementary or secondary school or other educational institution."

On motion of Rep. Hutter, the amendments were adopted.

Rep. Lambert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lambert to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert the following:

"(m) A contract for professional services entered into by a person selected pursuant to Part VII of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 with any agency or entity of state government with whom such person had a contract for professional services pursuant to Part VII of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 at any time prior to the effective date of this Subparagraph."

On motion of Rep. Lambert, the amendments were adopted.

Rep. Richmond sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 3, line 34, after "contract" insert "and shall not be subject to R.S. 42:1111(E)(2)(a)"

On motion of Rep. Richmond, the amendments were adopted.

Rep. Edwards sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No 4 in House Floor Amendments proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, between lines 43 and 44 insert the following:

"(m) An agreement for the provision of goods or services by state government provided on the same terms and conditions available to similarly situated persons."

On motion of Rep. Edwards, the amendments were adopted.

Speaker Tucker in the Chair

Rep. Gallot moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	McVea
Abramson	Geymann	Mills
Anders	Gisclair	Monica
Armes	Greene	Montoucet
Arnold	Guillory, E.	Morrell
Aubert	Guillory, M.	Morris
Badon, A.	Guinn	Norton
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Peterson
Billiot	Henry	Ponti
Burford	Hill	Pope
Burns, H.	Hines	Pugh
Burns, T.	Hoffmann	Richard
Burrell	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaBruzzo	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell

Ellington
Fannin
Foil
Franklin

Total - 105

Little
Lopinto
Lorusso
Marchand

White
Williams
Willmott
Wooton

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 20—

BY REPRESENTATIVES RICHMOND, HONEY, PETERSON, GARY SMITH, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN, BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONToucET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A RESOLUTION

To adopt House Rule 1.4 of the Rules of Order of the House of Representatives, to restrict admittance to the House members' private dining facility.

Read by title.

On motion of Rep. Richmond, the vote by which the above House Resolution finally passed was reconsidered.

Returned to the calendar under the rules.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate**HOUSE BILLS**

February 22, 2008

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

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House Bill No. 1
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Acting Speaker Trahan in the Chair

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. Gallot asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 1—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARRAS, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DANAHAY, DOERGE, DOVE, GISCLAIR, HENRY, HILL, HINES, LABRUZZO, LIGI, PEARSON, PONTI, PUGH, RICHARD, ROY, SCHRODER, SMILEY, JANE SMITH, WILLIAMS, ABRAMSON, ANDERS, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GEYMAN, GREENE, ELBERT GUILLORY, MICKY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LEGER, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTUCET, MORRELL, MORRIS, NORTON, NOWLIN, PERRY, POPE, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, SIMON, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1124, 1124.1, 1157(A)(4)(a), and 1167, to enact R.S. 18:1495.7 and R.S. 42:1124.2 and 1124.3, and to repeal R.S. 18:463(B) and R.S. 42:1114.1, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by candidates for certain offices; to provide for the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to remove certain specific financial disclosure provisions applicable to members of the legislature; to provide for penalties; to provide relative to the application of certain provisions of the Code of Governmental Ethics; to provide for effectiveness; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, change "1157(A)(4)(a), and 1167" to "and 1157(A)(4)(a)."

AMENDMENT NO. 2

On page 3, delete lines 4 through 9, and insert the following:

"(2)(a) Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon first conviction thereof shall be fined not less than one thousand dollars nor more than five thousand dollars.

(b) Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon second or subsequent convictions thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both.

(c) Any person prosecuted under this Section shall have a right to be tried before a jury of six persons, all of whom shall concur to render a verdict."

AMENDMENT NO. 3

On page 3, line 10, change "1157(A)(4)(a), and 1167" to "and 1157(A)(4)(a)"

AMENDMENT NO. 4

On page 4, line 28, after "(4)" insert "(a)" and on page 5, between lines 3 and 4, insert the following:

"(b) The name, address, brief description of, and nature of association with a nonprofit organization in which the individual or spouse is a director or officer."

AMENDMENT NO. 5

On page 5, line 7, at the end of the line, insert "any of the following:" and on line 8 delete "the" and insert "(i) The"

AMENDMENT NO. 6

On page 5, between lines 9 and 10 insert the following:

"(ii) Services performed for or in connection with a gaming interest as defined in R.S. 18:1505.2(L)(3)(a)."

AMENDMENT NO. 7

On page 6, between lines 21 and 22, insert the following:

"(g) Nothing in this Section shall require the disclosure or reporting of income derived from child support and alimony payments contained in a court order or from disability payments from any source."

AMENDMENT NO. 8

On page 7, delete lines 1 through 7 and insert the following:

"(6) (8) A brief description, amount, and date of any purchase or sale, in excess of one thousand dollars, of any immovable property and of any personally owned tax credit certificates, stocks, bonds, or commodities futures, including any option to acquire or dispose of any immovable property or of any personally owned tax credit certificates, stocks, bonds, or commodities futures. Nothing in this Paragraph shall require the reporting of information concerning variable annuities, variable life insurance, and variable universal life insurance.

(9) The name, brief description, and amount of each investment security having a value exceeding one thousand dollars held by the individual or spouse, excluding variable annuities, variable life insurance, variable universal life insurance, mutual funds, education investment accounts, retirement investment accounts, government bonds, and cash or cash equivalent investments. This Paragraph shall not be deemed to require disclosure of information concerning any property held and administered for any person other than the individual or spouse under a trust, tutorship, curatorship, or other custodial instrument."

AMENDMENT NO. 9

On page 7, line 8, change "(9)" to "(10)"

AMENDMENT NO. 10

On page 7, delete lines 14 through 18 and insert the following:

"(b) Any liability, secured or unsecured, which is guaranteed by the individual or spouse for a business in which the individual or spouse owns any interest, provided that the liability is in the name of the business and, if the liability is a loan, that the individual or spouse does not use proceeds from the loan for personal use unrelated to the business.

(c) Any loan from an immediate family member, unless such family member is a registered lobbyist, or his principal or employer is a registered lobbyist, or he employs or is a principal of a registered lobbyist, or unless such family member has a contract with the state.

(11) A certification that such individual has filed his federal and state income tax returns, or has filed for an extension of time for filing such tax returns."

AMENDMENT NO. 11

On page 8, delete lines 20 through 22

AMENDMENT NO. 12

On page 8, between lines 22 and 23, insert the following:

"G. Except as required by Paragraph (4) for income derived from professional or consulting services rendered, including mental health, medical health, or legal services, nothing in this Section shall be construed to require the disclosure of the name or address of any person when such disclosure would be prohibited by law or by a professional code."

AMENDMENT NO. 13

On page 8, line 23, change "F. G." to "F. H."

AMENDMENT NO. 14

On page 8, delete lines 28 and 29 and on page 9, delete lines 1 through 6 and insert the following:

"(2)(a) "Income" for a business shall mean gross income less both of the following:

(i) Costs of goods sold.

(ii) Operating expenses.

(b) "Income" for an individual shall mean taxable income and shall not include any income received pursuant to a life insurance policy."

AMENDMENT NO. 15

On page 9, line 7, change "H." to "I."

AMENDMENT NO. 16

On page 10, delete lines 8 through 13 and insert the following:

"(2)(a) Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon first conviction thereof shall be fined not less than one thousand dollars nor more than five thousand dollars.

(b) Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon second or subsequent convictions thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both.

(c) Any person prosecuted under this Section shall have a right to be tried before a jury of six persons, all of whom shall concur to render a verdict."

AMENDMENT NO. 17

On page 10, delete line 18 and insert the following:

"six months, or both. Any ~~prosecution~~ person prosecuted under this Subsection shall have a right to be tried before a"

AMENDMENT NO. 18

On page 10, line 24, delete "each judge."

AMENDMENT NO. 19

On page 10, line 27, change "ten" to "one hundred"

AMENDMENT NO. 20

On page 12, line 27, delete "judge or"

AMENDMENT NO. 21

On page 13, line 27, after "business" delete the remainder of the line and delete lines 28 and insert a period

AMENDMENT NO. 22

On page 15, delete lines 9 through 11

AMENDMENT NO. 23

On page 15, line 15, after "less" insert "both of the following"

AMENDMENT NO. 24

On page 15, delete lines 20 and 21

AMENDMENT NO. 25

On page 15, line 22, change "(4)" to "(3)"

AMENDMENT NO. 26

On page 15, line 23, change "(5)" to "(4)"

AMENDMENT NO. 27

On page 16, line 14, change "(5)(a)" to "(C)(5)(a)"

AMENDMENT NO. 28

On page 16, between lines 18 and 19 insert the following:

"K. Nothing in this Section shall require the disclosure or reporting of income derived from child support and alimony payments contained in a court order or from the reporting or disclosure of income derived from disability payments from any source."

AMENDMENT NO. 29

On page 16, line 22, after "thousand" insert "and each member of a state board or commission which has the authority to expend, disburse, or invest more than ten thousand dollars of funds but less than one hundred thousand dollars of funds in a fiscal year"

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AMENDMENT NO. 30

On page 18, delete lines 1 through 7

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, change "1124.1" to "1124.1(A)(1)"

AMENDMENT NO. 2

On page 1, line 3, change "and 1124.3" to "1124.3, and 1124.4"

AMENDMENT NO. 3

On page 2, delete lines 9 through 29 and on page 3, delete lines 1 through 9 and insert the following:

"B. Failure to file the financial statement required in Subsection A of this Section, failure to timely file such statement, omitting required information from such statement or inaccurately disclosing required information in such statement shall be penalized as provided in R.S. 42:1124.4."

AMENDMENT NO. 4

On page 3, line 10, change "1124.1" to "1124.1(A)(1)"

AMENDMENT NO. 5

On page 3, line 11, change "and 1124.3" to "1124.3, and 1124.4"

AMENDMENT NO. 6

On page 9, delete lines 7 through 14

AMENDMENT NO. 7

On page 9, line 16, after "Part" insert ", except for statements required by R.S. 42: 1124, 1124.2, and 1124.3"

AMENDMENT NO. 8

On page 9, delete lines 21 through 29 and one page 10, delete lines 1 through 21 and insert the following:

"* * *

AMENDMENT NO. 9

On page 16, delete lines 6 through 13

AMENDMENT NO. 10

On page 16, line 14, change "I." to "I."

AMENDMENT NO. 11

On page 17, between lines 19 and 20, insert the following:

"§1124.4. Penalties

A.(1) If a person fails to timely file a financial statement as required by R.S. 42:1124, 1124.2, or 1124.3, or a candidate fails to timely file a financial statement as required by R.S. 18:1495.7, or such person or candidate omits any required information, or the board has reason to believe information provided is inaccurate, the board

shall notify him of such failure, omission, or inaccuracy by sending him by certified mail a notice of delinquency immediately upon discovery of the failure, omission, or inaccuracy.

(2) Such notice shall inform him that the financial statement must be filed or that the information must be disclosed or accurately disclosed, or that a written answer contesting the allegation in the notice of such a failure, omission or an inaccuracy must be deposited in the mail no later than fourteen business days after receipt of the notice of delinquency.

(3) The person or candidate shall be informed that further failure to file the statement, disclose the information, correct the inaccuracy, or contest the allegation in writing in the time required shall result in the imposition of penalties as provided for in Subsection (C) of this Section.

B.(1) A person who fails to file a financial statement shall be assessed the penalty provided for in Subsection C of this Section until the statement is filed unless waived by the board as authorized in R.S. 42:1157.2.

(2) If the person provides the omitted information or corrects the inaccurate information prior to the deadline contained in the notice of delinquency, no penalties shall be assessed against the person. Further, no penalties shall be assessed if an answer contesting the allegations is filed until a determination is made by the board in response to the contest that results in the imposition of penalties.

(3) A failure to provide the omitted information, correct the inaccurate information, or file a written answer prior to the deadline contained in the notice of delinquency, or upon a finding by the board after a written answer that the information is still omitted or inaccurate, shall subject the person to the assessment of the penalty provided for in Subsection C of this Section for each day until such omitted information, corrected information, or written answer is filed.

C. Penalties shall be assessed as follows:

(1) Five hundred dollars per day for persons whose financial statements are required by R.S. 42:1124.

(2) One hundred dollars per day for persons whose financial statements are required by R.S. 42:1124.2.

(3) Fifty dollars per day for persons whose statements are required by R.S. 42:1124.3.

(4) The penalties to be assessed candidates shall be assessed according to which financial statement the candidate is required to file as provided in R.S. 18:1495.7.

D.(1)(a) A finding by the board after the notice provided for in Paragraph (A)(1) of this Section that a person or candidate has willfully or knowingly failed to file a statement, willfully and knowingly failed to timely file a statement, willfully or knowingly omitted information from a statement, or has willfully and knowingly provided inaccurate information in a statement, shall subject such person or candidate to prosecution for a misdemeanor.

(b)(i) Upon first conviction thereof, such person or candidate shall be fined not less than one thousand dollars nor more than five thousand dollars.

(ii) Upon a second or subsequent convictions thereof, the person or candidate shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both.

(2) Any person prosecuted under this Subsection shall have a right to be tried before a jury of six persons, all of whom shall concur to render a verdict.

(3) To make such a finding, the board shall provide the person or candidate an opportunity for a hearing.

(4) Upon the making of such a finding the board shall forward its findings to the district attorney in the parish in which the violation occurred for action.

E.(1) The Board of Ethics shall post on its web site on the Internet a list of all persons or candidates who have failed to file, or failed to timely file, or who have failed to provide omitted information or failed to provide accurate information as required by this Section.

(2)(a) No person or candidate shall be included on the list unless he fails to file, provide omitted information, or provide accurate information by the deadline nor shall he be included if he has filed an answer contesting the allegations included in the notice of delinquency.

(b) A person shall be removed from the list within two business days after filing or accurately disclosing the required information."

AMENDMENT NO. 12

On page 17, lines 27, change "1124.1(B)" to "1124.4"

AMENDMENT NO. 13

Delete Senate Committee Amendments No. 2, 15, 16 and 17 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 2, line 4, after "candidate," delete the remainder of the line

AMENDMENT NO. 2

On page 2, line 5, delete "statement required by R.S. 42:1124."

AMENDMENT NO. 3

On page 6, line 1, after "Oil" and before "exploration" insert "and gas"

AMENDMENT NO. 4

On page 6, line 2, after "(iv)" delete the remainder of the line and insert "Oil and gas production."

AMENDMENT NO. 5

On page 10, line 27, change "ten thousand" to "one million"

AMENDMENT NO. 6

On page 11, line 7, after "reporting," and before "provided" insert "taking into consideration any extensions filed by the individual."

AMENDMENT NO. 7

On page 13, line 15, after "life insurance," insert "Nothing in this Paragraph shall require the reporting of any information excluded under the provisions of Paragraph (7) of this Subsection."

AMENDMENT NO. 8

On page 13, line 16, after "(9)" delete "(a)"

AMENDMENT NO. 9

On page 13, line 19, change "(b)" to "(a)"

AMENDMENT NO. 10

On page 13, line 21, change "(c)" to "(b)"

AMENDMENT NO. 11

On page 13, line 25, after "business" and before the period "." insert ", other than normal operating expenses"

AMENDMENT NO. 12

On page 13, line 26, change "(d)" to "(c)"

AMENDMENT NO. 13

On page 14, line 1, change "(e)" to "(d)"

AMENDMENT NO. 14

On page 14, line 3, change "(f)" to "(e)"

AMENDMENT NO. 15

On page 14, line 9, after "D." delete "(1)"

AMENDMENT NO. 16

On page 14, delete lines 16 through 18

AMENDMENT NO. 17

On page 16, delete lines 14 through 18

AMENDMENT NO. 18

In Senate Committee Amendments proposed by the Senate and Governmental Affairs Committee and adopted by the Senate on February 20, 2008, on page 3, delete Senate Committee Amendment No. 19

AMENDMENT NO. 19

In Senate Committee Amendments proposed by the Senate and Governmental Affairs Committee and adopted by the Senate on February 20, 2008, on page 4, delete Senate Committee Amendment No. 27

AMENDMENT NO. 20

In Senate Committee Amendments proposed by the Senate and Governmental Affairs Committee and adopted by the Senate on February 20, 2008, on page 4, line 13, change "K." to "J."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 2, line 37 of the Senate Committee Amendments proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008, change "Paragraph (4)" to "R.S. 42:1124(C)(6)"

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SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008 on page 2, line 12, after "universal life insurance," insert "whole life insurance, and any other similar life insurance product"

AMENDMENT NO. 2

On page 13, line 3, after "universal life insurance," insert "whole life insurance, and any other similar life insurance product"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008, on line 29, delete the "" and insert the following:

"(iii) Notwithstanding any other provision of this Section to the contrary, the specific amount of any such income required to be reported in this Paragraph shall be reported."

AMENDMENT NO. 2

On page 12, between lines 4 and 5 insert the following:

"(iii) Notwithstanding any other provision of this Section to the contrary, the specific amount of any such income required to be reported in this Paragraph shall be reported."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 3, line 12, after "governor" delete the remainder of the line and line 13, and insert the following:

": certain public servants"

AMENDMENT NO. 2

On page 4, between lines 14 and 15 insert the following:

"(11) The deputy chief of staff to the governor.

(12) The legislative director to the governor."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 2, line 6, change "thirty" to "ten"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 13, line 11 after "certificates," and before "including" delete "stocks, bonds, or commodities futures, and insert the following:

"excluding variable annuities, variable life insurance, variable universal life insurance, mutual funds, education investment accounts, retirement investment accounts, government bonds, and cash or cash equivalent investments."

AMENDMENT NO. 2

On page 13, line 13 after "certificates" and before the comma "," insert a period "." and delete the remainder of the line and lines 14 and 15 in their entirety

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Alario to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 14, line 13, change "\$49,999" to "\$100,000"

AMENDMENT NO. 2

On page 14, delete lines 14 and 15 and insert the following:

"(d) Category IV, more than \$100,000."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

In Senate Floor Amendments, proposed by Senator Chaisson and adopted by the Senate on February 22, 2008, designated as SFAHB1 JONESJO 694 , in Senate Floor Amendment No. 11, on page 3, between lines 8 and 9, insert the following:

"F. If a person, who is required to disclose information required by R.S. 42:1124, 1124.2 or 1124.3 discovers an error or inaccuracy in the information he disclosed and files an amendment to such disclosure correcting such error or inaccuracy prior to the receipt of a notice of delinquency, no penalties shall be assessed against the person, and the board shall replace the initial disclosure with the amendment thereto in the official records of the board."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 10, line 26, between "persons," and "and" insert "each member of a state board or commission who receives a salary or other compensation for such public service in the amount of sixteen thousand eight hundred dollars or more per year,"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

In Senate Floor Amendment No. 11, in the set designated as SFAHB1 JONESJO 694, proposed by Senator Chaisson and adopted by the Senate on February 22, 2008, on page 2, at the end of line 58, delete "in which the violation occurred for action" and insert "which is the domicile of the person who filed the report"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Donahue to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 12, line 22, after "ad valorem taxes" delete the remainder of the line

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 18, line 11, after "2009" delete the remainder of the line and insert ", and the first report shall be filed in May, 2010, except as otherwise provided in this Act."

AMENDMENT NO. 2

On page 18, delete lines 12 through 14

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 4, delete lines 7 and 8

AMENDMENT NO. 2

On page 4, line 9, change "(6)" to "(5)"

AMENDMENT NO. 3

On page 4, line 11, change "(7)" to "(6)"

AMENDMENT NO. 4

On page 4, line 12, change "(8)" to "(7)"

AMENDMENT NO. 5

On page 4, line 13, change "(9)" to "(8)"

AMENDMENT NO. 6

On page 4, line 14, change "(10)" to "(9)"

AMENDMENT NO. 7

On page 10, line 26, after "persons," insert "each member of the State Board of Elementary and Secondary Education,"

AMENDMENT NO. 8

In Senate Committee Amendments proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008, on page 3, delete Senate Committee Amendment No. 19

AMENDMENT NO. 9

In Senate Committee Amendments proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008, on page 4, delete Senate Committee Amendment No. 29

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

In Senate Floor Amendment No. 11, proposed by Senator Chaisson and adopted by the Senate on February 22, 2008, identified as JonesJo694, on page 2, line 50, change "thereof" to "for violation of the same reporting requirement"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 3 delete "and 1124.3," and insert ", 1124.3 and 1124.4,"

AMENDMENT NO. 2

On page 3, between lines 9 and 10 insert the following:

"D. If a gubernatorially declared emergency or disaster is in effect for an area which includes a candidate's domicile upon the last day in which a candidate is required to file a financial disclosure statement, the filing deadline shall be extended for a period of thirty days from the day the gubernatorially declared emergency or disaster terminates. However, the extension of the filing deadline shall not exceed a period of one hundred twenty days from the last day in which a candidate would normally be required to file a financial disclosure statement had there not been a gubernatorially declared emergency or disaster."

AMENDMENT NO. 3

On page 17, between lines 19 and 20 insert the following:

"§1124.4 Extension of Filing Deadline: Gubernatorially Declared Disaster

If a gubernatorially declared emergency or disaster is in effect for an area which includes a person's domicile, who is required to file a financial disclosure statement pursuant to R.S. 42:1124, 1124.2, and 1124.3, upon the last day in which such person is required to file a financial disclosure statement, the filing deadline shall be extended for a period of thirty days from the day the gubernatorially declared emergency or disaster terminates. However, the extension of the filing deadline shall not exceed a period of one hundred twenty days from the last day in which such person would normally be required to file a financial disclosure statement had there not been a gubernatorially declared emergency or disaster."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

In the Senate Floor Amendments, designated as SFAHB1 BURKHARD 694, proposed by Senator Chaisson and adopted by the Senate on February 22, 2008, in Amendment No. 11:

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On page 2, delete line 52 and insert a period "."

On page 3, line 8, after "information," insert the following:

"F. If there is a final judgment convicting a person of the offense provided for in Subsection D(1)(b), such person shall be automatically suspended from his public office without compensation until he has filed the required statement, provided the required accurate information, and paid any fine assessed."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 3, between lines 9 and 10, insert the following:

"C.(1) Notwithstanding any provision of law to the contrary, this Section shall not require a report by an individual when the individual's activities are limited to exploring the feasibility of seeking nomination or election to public office.

(2) Paragraph (1) shall not apply if an individual does any of the following:

(a) Conducts activities for such purpose or for seeking such nomination or election to public office less than six months from the opening of qualifying for such office.

(b) Receives contributions or incurs expenditures in excess of five thousand dollars for such purpose or for seeking such nomination or election to public office.

(c) Conducts activities for a period in excess of thirty days after the first contribution is received or the first expenditure is incurred for such purpose or for seeking such nomination or election to public office.

(d) Prints or distributes campaign literature that publicizes the individual's interest in, or that the individual is, seeking nomination or election to public office.

(e) Uses public political advertising to publicize the individual's interest or intention in, or is, seeking nomination or election to public office.

(f) Makes or authorizes public statements referring to the individual as a nominee or candidate for public office.

(g) Solicits signatures on a nominating petition to qualify as a candidate.

(h) Organizes a political committee for the primary purpose of supporting the individual's nomination or election to public office."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 4, line 5, change "Each member of the State Civil Service Commission and the" to "The"

AMENDMENT NO. 2

On page 10, line 24, after "legislature," insert "each member of the State Civil Service Commission."

Rep. Tucker moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Peterson
Barrow	Henderson	Ponti
Billiot	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hines	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Cazayoux	Jackson M.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Simon
Chaney	Jones, S.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	Marchand	Wooton
Franklin	McVea	

Total - 104

NAYS

Total - 0

ABSENT

Jackson G.

Total - 1

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1: Reps. Tucker, Gallot, and Peterson.

Speaker Tucker in the Chair

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 21—

BY REPRESENTATIVES LOPINTO, HENRY, LEGER, LORUSSO, AND TALBOT

A RESOLUTION

To express sincere and heartfelt condolences of the House of Representatives upon the death of John Edward Fitzpatrick, Jr., of New Orleans, Louisiana.

Read by title.

On motion of Rep. Lopinto, and under a suspension of the rules, the resolution was adopted.

Withdrawal of Notice of Intention to Call

Rep. Barrow withdrew her notice of intention to call House Bill No. 72 from the calendar for future action.

Withdrawal of Notice of Intention to Call

Rep. Gallot withdrew his notice of intention to call Senate Bill No. 44 from the calendar for future action.

Privileged Report of the Committee on Enrollment

February 22, 2008

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVE HOFFMANN AND SENATORS CASSIDY, CRAVINS, CROWE, B. GAUTREAUX, NEVERS, SCALISE, AND WALSWORTH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

Respectfully submitted,

WAYNE WADDELL
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

February 22, 2008

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 22—

BY REPRESENTATIVE CHAMPAGNE

AN ACT

To amend and reenact R.S. 42:1119(D), relative to nepotism; to provide relative to the persons who are subject to penalties in the enforcement of violations of the nepotism prohibitions; and to provide for related matters.

HOUSE BILL NO. 23—

BY REPRESENTATIVES LEGER AND BALDONE

AN ACT

To enact R.S. 42:1123(38), relative to governmental ethics; to allow certain public servants to accept certain free legal services; and to provide for related matters.

HOUSE BILL NO. 33—

BY REPRESENTATIVES PETERSON AND BALDONE

AN ACT

To amend and reenact R.S. 42:1170(C), relative to ethics education; to provide for certain qualifications and requirements for ethics designees in certain agencies; to require certain training for such persons; to provide for the manner and procedure for designating such persons; to require certain notifications; and to provide for related matters.

HOUSE BILL NO. 74—

BY REPRESENTATIVES CONNICK AND BALDONE

AN ACT

To amend and reenact R.S. 42:1142(A) and to enact R.S. 42:1141.1, relative to the Board of Ethics; to provide for a process of declaratory opinions of the board; to provide procedures for obtaining such opinions; to provide for matters on which the board may render declaratory opinions; to provide for circumstances in which the board may refuse to issue such decisions; and to provide for related matters.

HOUSE BILL NO. 90—

BY REPRESENTATIVES DIXON AND TUCKER

AN ACT

To amend and reenact R.S. 42:1141(B)(1)(a) and (C), relative to the enforcement procedures of the Board of Ethics; to require the board to provide certain information to the accused and the complainant; to provide relative to deadlines for the provision of such information; to provide relative to the issuance of charges by the board; to provide relative to the content of such charges; to provide relative to hearings on such charges; to require the board to consider offering consent opinions; and to provide for related matters.

Respectfully submitted,

WAYNE WADDELL
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Adjournment

On motion of Rep. Trahan, at 4:20 P.M., the House agreed to adjourn until Monday, February 25, 2008, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, February 25, 2008.

ALFRED W. SPEER
Clerk of the House

